

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)
)
 Daniel Weisenbach)
 (Call Sign WPCE738))
)
 Hope Hanson)
 (Call Sign WPCA847))
)
 Loreen Hansen)
 (Call Sign WPBU683))
)
 Charles Mossley)
 (Call Sign WPCG760))
)
 Hattie and DS Gilley)
 (Call Sign WPCF938))
)
 Lubbock SMR, Inc.)
 (Call Signs WPCM568 and WPDC538))
)
 Wayne Lamb)
 (Call Sign WPDW351))
)
 Requests for Waiver of Section 90.149(a))
 of the Commission's Rules)

ORDER

Adopted: January 13, 2000

Released: January 14, 2000

By the Deputy Chief, Policy and Rules Branch, Commercial Wireless Division, Wireless Telecommunications Bureau:

1. We have before us requests for waiver of section 90.149(a) of the Commission's rules¹ filed by the above-captioned licensees, all of whom filed untimely requests for reinstatement of their expired Specialized Mobile Radio (SMR) licenses. Section 90.149(a) provides that licensees shall have an additional 30 days after the expiration of the license term to apply for reinstatement of expired licenses,² and the above-captioned licensees all filed their requests for reinstatement after the end of the applicable additional 30-day period. None of the licensees describes unique circumstances that would justify granting

¹ 47 C.F.R. § 90.149(a) (1998).

² *Id.* We note that section 90.149(a) (1998), in effect at the time the waiver requests were filed, expressly provided that a license automatically cancels if no timely reinstatement request is filed.

the waiver requests, and we therefore deny them.³

2. Accordingly, IT IS ORDERED that, pursuant to section 4(i) of the Communications Act, as amended, 47 U.S.C. § 154(i), and sections 0.331 and 90.151 of the Commission's rules, 47 C.F.R. §§ 0.331, 90.151, the requests for waiver filed by the above-captioned licensees ARE DENIED.

FEDERAL COMMUNICATIONS COMMISSION

Suzan Friedman
Deputy Chief, Policy and Rules Branch
Commercial Wireless Division
Wireless Telecommunications Bureau

³ See 47 C.F.R. § 90.151 (1998). We note that while section 90.151 has been superseded by 47 C.F.R. § 1.925, we would deny the instant waiver requests under the revised rule as well.